IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL REVISION PETITION NO. 983/2002
(Shambhoo Lal. Vs. Smt. Meera and Anr.)

Date of Order : 13/07/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Rakesh Arora for the petitioner.
Mr. Shambhu Singh for the non-petitioners.

BY THE COURT:-

By the instant criminal revision petition under Section 397 read with Section 401 Cr.P.C., the petitioner has challenged the judgment and order dated 23.08.2002 passed by Judge, Family Court, Udaipur (for short 'the trial court' hereinafter) whereby the trial court on an application filed by the non-petitioners granted maintenance under Section 125 Cr.P.C. at the rate of Rs. 800/- per month in favour of non-petitioner No.1 and Rs. 400/- per month in favour of non-petitioner No.2. Aggrieved by the judgment and order impugned, the petitioner has filed the instant revision petition.

I have heard learned counsel for the parties. Perused the order impugned.

On close scrutiny of the statement of witnesses produced by the parties as also the pleadings, it has been established that the non-petitioner No.1 Smt. Meera is legally wedded wife of the petitioner and from the loin of the petitioner, the non-petitioner No.2 minor son Suraj was born. The petitioner's income has also been proved by reliable evidence. It has also been proved from the evidence led by the non-petitioner that despite having sufficient means, the petitioner failed to maintain the non-petitioner and neglected her. Though the petitioner stated that he is earning Rs. 1500/- per month, but his statement has not been believed. As against this, the statement made by the non-petitioner was found to be reliable.

In my view, the order impugned is based on sound and proper appreciation of the evidence. I do not find any error, illegality or perversity in the order impugned warranting interference in the revisional jurisdiction.

The revision petition lacks merit and is dismissed accordingly.

(H.R.PANWAR),J.

rp.